

**SENATE JOURNAL**  
**NINTH DAY**  
**MORNING SESSION**

The Senate was called to order at 10:00 a.m., with President R. Lane Beattie presiding.

**Roll Call**– All Senators present, except Senators B. Evans and Muhlestein, excused

**Prayer** – The Reverend Joan Stewart, 1st Baptist Church of Bountiful

**READING OF TITLES OF BILLS AND RESOLUTIONS**  
**(PLEASE REFER TO DAY 1, PAGE 18)**

**DAILY SENATE JOURNAL**

Mr. President: January 26, 1999

The Committee on Revision of the Daily Senate Journal respectfully reports that we have read the journal for the eighth day and find it correct with minor amendments noted on the final copy.

Terry Spencer,  
Committee Member

Committee report read and adopted.

**COMMUNICATIONS FROM THE HOUSE**

Mr. President: January 25, 1999

The House passed, as amended, **H.B. 19**, PENALTIES FOR DRIVING UNDER THE INFLUENCE, by Representative N. Stephens, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 21**, CONSTITUTIONAL REVISION COMMISSION AMENDMENTS, by Representative M. Styler, and it is transmitted for consideration; and

The House passed **H.B. 25**, INCOME TAX DEDUCTION FOR HEALTH CARE INSURANCE, by Representative M. Styler, and it is transmitted for consideration; and

The House passed **H.B. 30**, APPROPRIATION FOR CENTER FOR LANDSCAPE WATER MANAGEMENT, by Representative J. Buffmire, et al, and it is transmitted for consideration; and

The House passed **H.B. 31**, INCOME TAX – DEFINITIONS RELATING TO DISABLED PERSONS, by Representative J. Buffmire, and it is transmitted for consideration; and

The House passed **H.B. 42**, TRADE AND BUSINESS NAME AMENDMENTS, by Representative A. Bradshaw, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 44**, MURDER AND MANSLAUGHTER AMENDMENTS, by Representative D. Gladwell, et al, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 187**, IDENTIFICATION NUMBER FRAUD, by Representative C. Bennion, and it is transmitted for consideration; and

The House passed **H.B. 197**, CEDAR MOUNTAIN INITIATIVE APPROPRIATION, by Representative T. Hatch, and it is transmitted for consideration; and

The House passed **H.B. 200**, WATER COMMISSIONER AMENDMENTS, by Representative M. Styler, and it is transmitted for consideration; and

The House passed **H.B. 222**, REVISED CORPORATION ACT AMENDMENTS, by Representative A. Bradshaw, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 223**, SPECIAL SERVICE DISTRICT BOND SECURITY, by Representative J. Seitz, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 19, H.B. 21, H.B. 25, H.B. 30, H.B. 31, H.B. 42, H.B. 44, H.B. 187, H.B. 197, H.B. 200, H.B. 222**, and **H.B. 223** were read the first time and referred to the Rules Committee.

### **RULES COMMITTEE REPORTS**

To the Members of the Senate: January 25, 1999

The Rules Committee recommends assignment of the following bills to standing committees:

#### **Business, Labor & Economic Development**

**S.B. 92** Fair Housing Amendments (E. Mayne)

**H.B. 194** Consumer Credit Issues (W. Harper)

**Health/Environment****H.B. 190** Medicaid Choice Certificate (R. Short)**State & Local Affairs****H.B. 24** B and C Fund Distribution (T. Hatch)**Transportation & Public Safety****H.B. 16** Collegiate License Plates (A. Bradshaw)**H.B. 36** Driver License Identification (D. Ure)**H.B. 45** School Bus Safety (N. Hendrickson)**H.B. 205** School Bus Traffic Safety Requirements (D. Ure)

Steven Poulton,

Rules Committee Chair

Report filed.

**STANDING COMMITTEE REPORTS**

Mr. President: January 25, 1999

The Revenue and Taxation Committee recommends **S.B. 19**, SALES AND USE TAX EXEMPTION FOR HEARING AIDS AND HEARING AID ACCESSORIES, by Senator R. Montgomery, be replaced and favorably recommends **1st Sub. S.B. 19**, SALES AND USE TAX EXEMPTION FOR HEARING AIDS AND HEARING AID ACCESSORIES; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 73**, CREDIT FOR CONTRIBUTIONS TO CHILD CARE, by Senator L. Blackham; and

The Revenue and Taxation Committee reports a favorable recommendation on **S.B. 76**, SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, by Senator J. Valentine, with the following amendments:

1. Page 2, Line 51:  
After "within" insert "the lesser of: (I)"
2. Page 2, Line 52:  
After "; or" insert "(II) six years after the day on which the person pays the tax under Title 59, Chapter 12, Sales and Use Tax Act; or"
3. Page 2, Line 57:  
After "person" delete "purchases the tangible personal property or services" and insert "pays the tax under Title 59, Chapter 12, Sales and Use Tax Act"

4. Page 3, Line 63:  
After "shall" delete "be added" and insert "accrue"
5. Page 3, Line 65:  
After "person" delete "purchases the tangible personal property or"
6. Page 3, Line 66:  
At the beginning of Line 66 delete "services" and insert "pays the tax under Title 59, Chapter 12, Sales and Use Tax Act,"

John L. Valentine, Chair; and

Mr. President: January 25, 1999  
The State and Local Affairs Committee reports a favorable recommendation on **S.B. 87**, RESTRICTION ON CREATION OF LOCAL DISTRICTS, by Senator R. Evans; and

The State and Local Affairs Committee reports a favorable recommendation on **S.J.R. 5**, RESOLUTION AMENDING STATE AND LOCAL GOVERNMENT PROVISIONS, by Senator H. Nielson, with the following amendments:

1. Page 5, Line 133:  
After "create" delete the words "or dissolve"
2. Page 7, Line 196:  
After "shall" insert ", as prescribed by statute,"
3. Page 8, Line 239:  
After "State," insert "or other governmental entities,"
4. Page 8, Line 241:  
After "State," insert "or other governmental entities"; and

The State and Local Affairs Committee reports a favorable recommendation on **H.B. 168**, CITY FORMS OF GOVERNMENT, by Representative B. Chard; and

The State and Local Affairs Committee reports a favorable recommendation on **H.B. 170**, INFORMATION TECHNOLOGY RESTRUCTURING, by Representative B. Chard.

R. Mont Evans, Chair

On motion of Senator Poulton, the committee reports were adopted. **Sub. S.B. 19, S.B. 73, S.B. 76**, as amended, **S.B. 87, S.J.R. 5**, as amended, **H.B. 168**, and **H.B. 170** were placed on Second Reading Calendar.

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On motion of Senator Nelson, **S.J.R. 5**, RESOLUTION AMENDING STATE AND LOCAL GOVERNMENT PROVISIONS was lifted from Second Reading Calendar and returned to the State and Local Affairs Committee.

## **INTRODUCTION OF BILLS**

### **OFFICE OF PUBLIC GUARDIAN**

#### **S.B. 39**

*Lyle W. Hillyard*

AN ACT RELATING TO HUMAN SERVICES; CREATING THE OFFICE OF PUBLIC GUARDIAN AND THE BOARD OF PUBLIC GUARDIAN SERVICES; ESTABLISHING THE POWERS AND DUTIES OF THE OFFICE AND THE FUNCTION AND MAKE UP OF THE BOARD; AUTHORIZING THE OFFICE TO SEEK COURT APPOINTMENT AS GUARDIAN AND CONSERVATOR OF AN INCAPACITATED PERSON WHEN NO OTHER PERSON IS WILLING AND ABLE TO DO SO; PERMITTING THE OFFICE TO ENTER INTO PRIVATE CONTRACTS AND TO USE VOLUNTEERS TO PROVIDE GUARDIAN AND CONSERVATOR SERVICES; REQUIRING THE WARD OR HIS ESTATE TO PAY FOR OFFICE SERVICES UNLESS INDIGENT; REQUIRING THE COUNTY ATTORNEY TO REPRESENT THE OFFICE IN COURT; REQUIRING THE ATTORNEY GENERAL TO REPRESENT THE OFFICE IN COURT IF THE COUNTY ATTORNEY FAILS TO DO SO; REQUIRING THE OFFICE TO SUBMIT AN IMPLEMENTATION PLAN; MAKING CONFORMING AMENDMENTS; AND PROVIDING AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

### **EVICTON FOR ILLEGAL ACTIVITIES**

#### **S.B. 40**

*David H. Steele*

AN ACT RELATING TO JUDICIAL CODE; EXPANDING DEFINITION OF NUISANCE FOR PURPOSE OF EVICTION; AND MAKING TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

### **DIVORCE DECREE AMENDMENTS**

#### **S.B. 108**

*Parley Hellewell*

AN ACT RELATING TO HUSBAND AND WIFE; PROVIDING THAT ALIMONY TERMINATES UPON THE DEATH OF THE RECIPIENT, was read for the first time and referred to the Rules Committee.

**ENTERPRISE ZONE AMENDMENTS****S.B. 111***Beverly Ann Evans*

AN ACT RELATING TO COMMUNITY AND ECONOMIC DEVELOPMENT; AMENDING CRITERIA FOR ENTERPRISE ZONES AND TAX CREDITS; AND MAKING TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

**APPROPRIATION FOR ENGINEERING AND  
PREENGINEERING PROGRAM IN HIGHER EDUCATION****S.B. 112***Lyle W. Hillyard*

AN ACT RELATING TO HIGHER EDUCATION; PROVIDING A \$955,000 APPROPRIATION IN BASE-BUDGET FUNDING TO FOSTER STATEWIDE ECONOMIC DEVELOPMENT AND MEET UTAH'S NEED FOR HIGHLY SKILLED ENGINEERS AND COMPUTER SCIENTISTS BY STRENGTHENING THE ENGINEERING AND PREENGINEERING PROGRAMS AT THE STATE'S NINE INSTITUTIONS OF HIGHER EDUCATION; AND PROVIDING AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

**FINANCIAL SERVICES AMENDMENTS****S.B. 113***Peter C. Knudson*

AN ACT RELATING TO FINANCIAL INSTITUTIONS; DEFINING TERMS; EXEMPTING DEPOSITARY INSTITUTIONS FROM REGULATION OF SERVICE CHARGES FOR DISHONORED CHECKS; ELIMINATING THE CAP ON DELINQUENCY CHARGES IN CERTAIN CIRCUMSTANCES; ALLOWING FOR CERTAIN PREPAYMENT PENALTIES; AND MAKING TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

**STRATEGIC PLANNING FOR  
EDUCATIONAL EXCELLENCE AMENDMENTS****S.B. 114***Lyle W. Hillyard*

AN ACT RELATING TO EDUCATION; PROVIDING A STRATEGIC PLANNING PROCESS FOR PUBLIC AND HIGHER EDUCATION; MODIFYING THE DUTIES AND POWERS OF THE STRATEGIC PLANNING TASK FORCE IN RELATION TO ITS INVOLVEMENT WITH

PUBLIC AND HIGHER EDUCATION STRATEGIC PLANNING; PROVIDING THAT IT MEET ON A QUARTERLY BASIS; MAKING STAFFING CHANGES; MAKING CERTAIN TECHNICAL CHANGES; APPROPRIATING \$29,000 FROM THE GENERAL FUND; AND PROVIDING AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

#### **APPROPRIATION FOR UTAH STATE FAIRPARK**

**S.B. 115***Pete Suazo*

AN ACT RELATING TO COMMUNITY AND ECONOMIC DEVELOPMENT AND APPROPRIATIONS; APPROPRIATING \$330,000 FROM THE GENERAL FUND FOR FISCAL YEAR 1999-2000 TO THE UTAH STATE FAIR PARK; AND PROVIDING AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

#### **APPROPRIATION FOR CHILDREN'S JUSTICE CENTERS**

**S.B. 116***Beverly Ann Evans*

AN ACT RELATING TO STATE OFFICERS AND EMPLOYEES; ADDING GRAND AND UTAH COUNTIES TO THE LIST OF COUNTIES IN WHICH THE ATTORNEY GENERAL SHALL ESTABLISH CHILDREN'S JUSTICE CENTERS; APPROPRIATING \$150,000; AND PROVIDING AN EFFECTIVE DATE, was read for the first time and referred to the Rules Committee.

#### **UTAH INJURED WORKER REEMPLOYMENT ACT**

**S.B. 117***Ed P. Mayne*

AN ACT RELATING TO LEGISLATIVE OVERSIGHT AND SUNSET ACT; EXTENDING SUNSET DATE FOR UTAH INJURED WORKER REEMPLOYMENT ACT; AND MAKING TECHNICAL CORRECTIONS, was read for the first time and referred to the Rules Committee.

#### **PLUMBING CODE PROVISIONS**

**S.B. 118***Michael G. Waddoups*

AN ACT RELATING TO OCCUPATIONS AND PROFESSIONS; REQUIRING THE USE OF THE UNIFORM PLUMBING CODE FOR ALL BUILDING CONSTRUCTION; AND MAKING TECHNICAL CHANGES, was read for the first time and referred to the Rules Committee.

### THIRD READING CALENDAR

**S.B. 20**, SPECIAL MITIGATION FOR MENTALLY ILL OFFENDERS, was read the third time, explained by Senator Julander, and passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	M. Evans	Hale	Hellewell
Hillyard	Hull	Jones	Julander
Knudson	Mansell	Mayne	Montgomery
Nielson	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Beattie		

**Absent or not voting were:** Senators

B. Evans	Howell	Muhlestein
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**S.B. 20**, as amended, was transmitted to the House.

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**H.B. 233**, REVISOR'S STATUTE, was read the third time, explained by Senator Poulton, and passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	M. Evans	Hale	Hellewell
Hillyard	Hull	Jones	Julander
Knudson	Mansell	Mayne	Montgomery
Nielson	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Beattie		

**Absent or not voting were:** Senators

B. Evans	Howell	Muhlestein
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**H.B. 233** was signed by the President of the Senate in open session and returned to the House.

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**S.B. 24**, THEFT AND PROPERTY DAMAGE AMENDMENTS, was read the third time, explained by Senator Dmitrich, and passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	M. Evans	Hale	Hellewell
Hillyard	Howell	Hull	Jones
Julander	Knudson	Mansell	Mayne
Montgomery	Nielson	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Beattie	

**Absent or not voting were:** Senators

B. Evans	Muhlestein
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**S.B. 24** was transmitted to the House.

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**S.B. 30**, DRUG DEALING PENALTY AMENDMENT, was read the third time. Senator Hull explained the bill.

On motion of Senator Hillyard, the bill was amended as follows:

1. Page 1, Line 6:  
After "COMMITTED IN THE" insert "IMMEDIATE" Senators Hillyard, Beattie
2. Page 4, Line 116:  
After "in the" insert "immediate" commented. On motion of Senator Hull, the bill was circled.

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**S.B. 7**, YOUTH PAROLE AUTHORITY AMENDMENTS, was read the third time, explained by Senator Hull, and passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	M. Evans	Hale	Hellewell
Hillyard	Howell	Hull	Jones
Julander	Knudson	Mansell	Mayne
Montgomery	Nielson	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Beattie	

**Absent or not voting were:** Senators

B. Evans	Muhlestein
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**S.B. 7** was transmitted to the House.

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**S.B. 14**, SNOWMOBILE USER FEE, was read the third time, explained by Senator Jones, and passed on the following roll call:

**Yeas, 21; Nays, 6; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	M. Evans	Hale	Hellewell
Hillyard	Howell	Hull	Jones
Julander	Knudson	Mayne	Montgomery
Peterson	Steele	Suazo	Waddoups
Beattie			

**Voting in the negative were:** Senators

Mansell	Nielson	Poulton	Spencer
Stephenson	Valentine		

**Absent or not voting were:** Senators

B. Evans	Muhlestein
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**S.B. 14** was transmitted to the House.

**SECOND READING CALENDAR**

**S.B. 11**, DRIVER LICENSING AMENDMENTS, was read the second time. Senator M. Peterson explained the bill. Senators Hillyard, Spencer, Mansell, Stephenson, and Nielson commented. The bill passed on the following roll call:

**Yeas, 24; Nays, 3; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	Hale	Hellewell	Hillyard
Howell	Hull	Jones	Julander
Knudson	Mansell	Mayne	Montgomery
Nielson	Peterson	Poulton	Steele
Suazo	Valentine	Waddoups	Beattie

**Voting in the negative were:** Senators

M. Evans	Spencer	Stephenson
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**Absent or not voting were:** Senators

B. Evans	Muhlestein
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**S.B. 91**, WEAPONS – TECHNICAL AMENDMENTS, was read the second time. Senator Waddoups explained the bill. Senator Howell commented. The bill passed on the following roll call:

**Yeas, 23; Nays, 0; Absent, 6.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	M. Evans
Hale	Hellewell	Hillyard	Howell
Hull	Jones	Julander	Knudson
Mayne	Montgomery	Nielson	Peterson
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Beattie	

**Absent or not voting were:** Senators

Davis	Dmitrich	B. Evans	Mansell
Muhlestein	Poulton		

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On motion of Senator Hillyard, the following bills on Second Reading Calendar will be done under suspension of the rules.

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On motion of Senator Suazo, the circle was removed from **S.B. 74**, CHILD CARE PROVIDER CRIMINAL BACKGROUND CHECK AMENDMENTS, and it was before the Senate. Senator Suazo explained the bill. Senators Spencer, Hillyard, Blackham, Waddoups, and E. Allen commented. The bill passed on the following roll call:

**Yeas, 24; Nays, 0; Absent, 5.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
M. Evans	Hale	Hellewell	Hillyard
Howell	Hull	Jones	Julander
Knudson	Mayne	Montgomery	Nielson
Peterson	Spencer	Steele	Stephenson
Suazo	Valentine	Waddoups	Beattie

**Absent or not voting were:** Senators

Dmitrich	B. Evans	Mansell	Muhlestein
Poulton			

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**Sub. S.B. 19**, SALES AND USE TAX EXEMPTION FOR HEARING AIDS AND HEARING AID ACCESSORIES, under suspension of the rules, was read the second time. Senator Jones declared a conflict of interest. Senator Montgomery explained the bill. Senators Hillyard, Beattie, Jones, Valentine, Howell, and E. Allen commented. The bill passed on the following roll call:

**Yeas, 20; Nays, 6; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Davis	Dmitrich
M. Evans	Hale	Howell	Hull
Jones	Knudson	Mayne	Montgomery
Nielson	Peterson	Poulton	Stephenson
Suazo	Valentine	Waddoups	Beattie

**Voting in the negative were:** Senators

Blackham	Hellewell	Hillyard	Mansell
Spencer	Steele		

**Absent or not voting were:** Senators

B. Evans	Julander	Muhlestein
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**S.B. 73**, CREDIT FOR CONTRIBUTIONS TO CHILD CARE, under suspension of the rules, was read the second time. Senator Blackham explained the bill. Senators Suazo, Hillyard, Mansell, Hull, Steele, E. Allen, Hellewell, Montgomery, and Valentine commented. On motion of Senator Blackham, the bill was circled.

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On motion of Senator Hillyard, and at 12:00 noon, the Senate recessed.

## AFTERNOON SESSION

The Senate reassembled at 2:10 p.m., with President Beattie presiding.

### COMMUNICATIONS FROM THE HOUSE

Mr. President: January 26, 1999

The House passed, as amended, **H.B. 14**, MOTOR VEHICLE ACCIDENT REPORT AMENDMENTS, by Representative R. Lockhart, and it is transmitted for consideration; and

The House passed **H.B. 50**, EXPANSION OF GOOD SAMARITAN ACT, by Representative R. Siddoway, and it is transmitted for consideration; and

The House passed **H.B. 52**, PORTABILITY OF FUNDING FOR HEALTH AND HUMAN SERVICES, by Representative D. Hogue, and it is transmitted for consideration; and

The House passed, as amended, **H.B. 192**, NATIVE AMERICAN REMAINS AND HISTORIC ARTIFACTS, by Representative E. Anderson, et al, and it is transmitted for consideration; and

The House passed **H.B. 217**, DISORDERLY CONDUCT AMENDMENTS, by Representative A. Bradshaw, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.B. 14**, **H.B. 50**, **H.B. 52**, **H.B. 192**, **H.B. 217**, and **H.B. 218** were read the first time and referred to the Rules Committee.

**RULES COMMITTEE REPORTS**

To the Members of the Senate: January 26, 1999

The Rules Committee recommends assignment of the following bills to standing committees:

**Business, Labor & Economic Development**

**S.B. 35** Swap Meets and Flea Markets Act (L. Blackham)  
**S.B. 88** Motor Vehicle Insurance Amendments (H. Stephenson)  
**H.B. 42** Trade and Business Name Amendments (A. Bradshaw)  
**H.B. 222** Revised Corporation Act Amendments (A. Bradshaw)

**Education**

**S.B. 96** Tuition Assistance for Service Members (D. Steele)

**Energy, Natural Resources & Agriculture**

**H.B. 30** Appropriation for Center for Landscape Water Management (J. Buffmire)  
**H.B. 197** Cedar Mountain Initiative Appropriation (T. Hatch)  
**H.B. 200** Water Commissioner Amendments (M. Styler)

**Health/Environment**

**S.B. 26** Nurse Registration Interstate Compact Amendments (L. Mansell)

**Judiciary**

**S.B. 34** Hate Crimes Amendments (P. Suazo)  
**H.B. 44** Murder and Manslaughter Amendments (D. Gladwell)  
**H.B. 187** Identification Number Fraud (C. Bennion)

**Revenue & Taxation**

**S.B. 72** Income Tax Amendments (H. Nielson)  
**H.B. 25** Income Tax Deduction for Health Care Insurance (M. Styler)  
**H.B. 31** Income Tax – Definitions Relating to Disabled Persons (J. Buffmire)

**State & Local Affairs**

**S.B. 25** Retirement – Use of Sick Leave Amendments (M. Waddoups)  
**H.B. 223** Special Service District Bond Security (J. Seitz)

**Transportation & Public Safety****H.B. 19**

Penalties for Driving Under the Influence (N. Stephens)  
 Steven Poulton,  
 Rules Committee Chair

Report filed.

**SECOND READING CALENDAR**

**S.B. 76**, SALES AND USE TAX EXEMPTION FOR POLLUTION CONTROL FACILITIES, as amended and under suspension of the rules, was read the second time. Senator Valentine explained the bill.

Senator Valentine moved the following amendments:

7. Page 2, Line 52:  
 Revenue and Taxation Committee report dated January 25, 1999  
 Amendment #2  
 After “(II)” delete “six” and insert “nine”

The motion to amend failed on a voice vote. Senators Mayne, Hillyard, Stephenson, and Jones commented. Senator Dmitrich declared a conflict of interest. The bill passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Davis	Dmitrich
M. Evans	Hale	Hellewell	Hillyard
Howell	Hull	Jones	Julander
Knudson	Mansell	Mayne	Montgomery
Muhlestein	Nielson	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Beattie	

**Absent or not voting were:** Senators

Blackham	B. Evans
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**THIRD READING CALENDAR**

On motion of Senator Hull, the circle was removed from **S.B. 30**, DRUG DEALING PENALTY AMENDMENT, and it was before the Senate. Senator Hull explained the bill. The bill passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Davis	Dmitrich
M. Evans	Hale	Hellewell	Hillyard
Howell	Hull	Jones	Julander
Knudson	Mansell	Mayne	Montgomery
Muhlestein	Nielson	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Beattie	

**Absent or not voting were:** Senators

Blackham	B. Evans
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**S.B. 30** was transmitted to the House.

**SECOND READING CALENDAR**

On motion of Senator Poulton, the circle was removed from **H.J.R. 3**, JOINT RULES AMENDMENTS RESOLUTION, and it was before the Senate. Senator Poulton explained the bill.

On motion of Senator Poulton, the bill was amended as follows:

Delete all amendments inserted by the House of Representatives

Senators Hillyard and Valentine commented. The bill passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Davis	Dmitrich
M. Evans	Hale	Hellewell	Hillyard
Howell	Hull	Jones	Julander
Knudson	Mansell	Mayne	Montgomery
Muhlestein	Nielson	Peterson	Poulton
Spencer	Steele	Stephenson	Suazo
Valentine	Waddoups	Beattie	

**Absent or not voting were:** Senators

Blackham	B. Evans
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**S.B. 87**, CREDIT FOR CONTRIBUTIONS TO CHILD CARE, under suspension of the rules, was read the second time. Senator M. Evans explained the bill. The bill passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Davis	Dmitrich
M. Evans	Hale	Hellewell	Hillyard
Hull	Jones	Julander	Knudson
Mansell	Mayne	Montgomery	Muhlestein
Nielson	Peterson	Poulton	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Beattie		

**Absent or not voting were:** Senators

Blackham	B. Evans	Howell
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**H.B. 168**, CITY FORMS OF GOVERNMENT, under suspension of the rules, was read the second time. Senator Spencer explained the bill. The bill passed on the following roll call:

**Yeas, 27; Nays, 0; Absent, 2.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	M. Evans	Hale	Hellewell
Hillyard	Howell	Hull	Jones
Julander	Knudson	Mansell	Mayne
Montgomery	Muhlestein	Nielson	Peterson
Poulton	Spencer	Steele	Stephenson
Suazo	Valentine	Beattie	

**Absent or not voting were:** Senators

B. Evans	Waddoups
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**H.B. 170**, INFORMATION TECHNOLOGY RESTRUCTURING, under suspension of the rules, was read the second time. Senator Steele explained the bill. The bill passed on the following roll call:

**Yeas, 26; Nays, 0; Absent, 3.**

**Voting in the affirmative were:** Senators

E. Allen	R. Allen	Blackham	Davis
Dmitrich	M. Evans	Hale	Hellewell

Hillyard	Howell	Hull	Jones
Julander	Knudson	Mayne	Montgomery
Muhlestein	Nielson	Peterson	Spencer
Steele	Stephenson	Suazo	Valentine
Waddoups	Beattie		

**Absent or not voting were:** Senators

B. Evans	Mansell	Poulton
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### COMMUNICATIONS FROM THE HOUSE

Mr. President: January 26, 1999

The House passed **H.J.R. 6**, JOINT RESOLUTION – COMPENSATION OF IN-SESSION EMPLOYEES, by Representative M. Dillree, and it is transmitted for consideration.

Carole E. Peterson, Chief Clerk

Communications filed. **H.J.R. 6** was read the first time and referred to the Rules Committee.

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On motion of Senator L. Hillyard and at 3:00 a.m., the Senate adjourned until 10:00 a.m., Wednesday, January 27, 1999.

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Read for the first time and referred by the President of the Senate to the Rules Committee	77
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Read for the first time and referred by the President of the Senate to the Rules Committee	77
Assigned to standing committee	126
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Assigned to standing committee	158
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Read for the first time and referred to the Rules Committee	111
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Read for the first time and referred to the Rules Committee	129
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Read for the first time and referred to the Rules Committee	149
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Read for the first time and referred to the Rules Committee	150
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Read for the first time and referred to the Rules Committee	150
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Read for the first time and referred by the President of the Senate to the Rules Committee	42
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Assigned to standing committee	90

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Read for the first time and referred by the President of the Senate to the Rules Committee . . . . .	43
Assigned to standing committee . . . . .	45
Placed on calendar . . . . .	77
Read the second time . . . . .	80
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Transmitted to the House . . . . .	94

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Assigned to standing committee . . . . .	46
Placed on calendar . . . . .	47
Read the second time . . . . .	65
Read the third time . . . . .	65
Transmitted to the House . . . . .	66

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Read for the first time and referred by the President of the Senate to the Rules Committee . . . . .	43
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Assigned to standing committee . . . . .	46
Placed on calendar . . . . .	148
Returned to standing committee . . . . .	149
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Read for the first time and referred by the President of the Senate to the Rules Committee . . . . .	44
Placed on calendar . . . . .	67
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Read the second time . . . . .	78
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**S.R. 2** — SENATE RULES RESOLUTION (*L. Poulton*)

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Placed on calendar . . . . .	67
Read the second time . . . . .	79
Read the third time . . . . .	92
Signed by the President and transmitted to the Lt. Governor . . . . .	93